

REMARKS

Applicant, by the amendments presented above and the arguments presented below, has made a concerted effort to present claims which clearly define over the prior art of record, and thus to place this case in condition for allowance. Claims 1 and 3-37 are currently pending. Claim 2 has been cancelled. Claims 32-37 are newly added.

Claim Rejections – 35 U.S.C. §103

Claims 1-3 and 13-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 4,357,047 to Katz. Applicant respectfully traverses this rejection in view of the amendments made to independent claim 1.

Applicant has amended independent claim 1 to require that the upper portion of the baserail is secured to the lower portion of the panel such that an outer surface of the baserail at the upper portion thereof faces the inner skin of the panel at the lower portion thereof and such that an inner surface of the baserail at the upper portion thereof forms part of a boundary of an interior of the trailer. Katz does not disclose or suggest such a structure for a sidewall. The upper portion of the baserail (34 – as defined by the Examiner) of Katz is secured to the lower portion of the panel such that an inner surface of the baserail (34) at the upper portion thereof faces the outer skin (28) of the panel at the lower portion thereof. As such, the inner surface of the baserail at the upper portion thereof does not form part of a boundary of an interior of the trailer; the inner surface of the baserail at the upper portion thereof does not face the interior of the trailer.

The claimed structure also provides a benefit compared to the structure disclosed in

Katz. By providing the baserail higher up along the interior of the trailer, as the outer surface of the baserail faces the inner skin of the panel, more protection is provided to the sidewall of the trailer of the invention than is provided to the sidewall of the trailer in Katz.

Thus, Applicant states that independent claim 1, as amended, is in condition for allowance. Applicant respectfully requests reconsideration and allowance of independent claim 1.

As claims 3 and 13-20 are all ultimately dependent upon independent claim 1, which Applicant states is in condition for allowance, Applicant respectfully requests reconsideration and allowance of claims 3 and 13-20.

Applicant has cancelled claim 2 herein and, therefore, Applicant states that the rejection thereto is now moot.

Allowed Claims

Applicant acknowledges with appreciation that claims 4-12 and 21-31 have been allowed.

Newly Added Claims

Applicant has added new claims 32-37.

Claim 32 is dependent on independent claim 1. As Applicant states that independent claim 1 is in condition for allowance, Applicant respectfully requests consideration and allowance of new claim 32. Further, the Examiner stated that the core member of the panel of Katz was the upright posts (30). As such, Applicant has added new claim 32 to provide that the core member of the panel of the invention is formed of a compressible non-metal material. Applicant states that the upright posts (30) of Katz are not formed of a

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compressible non-metal material and, therefore, Katz does not disclose or suggest the limitations of new claim 32.

Claim 33 is identical to new claim 32, except that it is dependent on independent claim 4 rather than independent claim 1. As the Examiner has indicated that independent claim 4 is allowed, Applicant respectfully requests consideration and allowance of new claim 33.

Claim 34 is dependent on independent claim 1. As Applicant states that independent claim 1 is in condition for allowance, Applicant respectfully requests consideration and allowance of new claim 34. Further, Applicant has added new claim 34 to provide that the upper and lower portions of the baserail are generally co-planar. Applicant states that the upper and lower portions of the baserail (34) of Katz are not generally co-planar, but rather are offset from one another as is plainly illustrated in Figure 2 and, therefore, Katz does not disclose or suggest the limitations of new claim 34.

Claim 35 is identical to new claim 34, except that it is dependent on independent claim 4 rather than independent claim 1. As the Examiner has indicated that independent claim 4 is allowed, Applicant respectfully requests consideration and allowance of new claim 35.

Claim 36 is dependent on independent claim 1. As Applicant states that independent claim 1 is in condition for allowance, Applicant respectfully requests consideration and allowance of new claim 36. Further, the baserail of Katz (34 – as defined by the Examiner) has a lower end, as illustrated in Figure 2, but this lower end is not positioned on top of at least a portion of the bottom rail (50 – as defined by the Examiner). Rather, the bottom rail (50) is positioned well above the lower end of the baserail (34) such that the lower end of the baserail (34) does not appear to be positioned on top of anything. The bottom rail (50) is

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even distanced from the lower end of the baserail (34) by the entire height of both the sill plate (44) and the transverse I-beam (46). Therefore, Katz does not disclose or suggest the limitations of new claim 36.

Claim 37 is identical to new claim 36, except that it is dependent on independent claim 4 rather than independent claim 1. As the Examiner has indicated that independent claim 4 is allowed, Applicant respectfully requests consideration and allowance of new claim 37.

In view of the above Amendments and Remarks, Applicant respectfully submits that the claims of the application are allowable over the rejections of the Examiner. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

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By: 


Richard A. Giangiorgi, Reg. No. 24,284
Linda L. Palomar, Reg. No. 37,903
James A. O'Malley, Reg. No. 45,952
TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.
105 W. Adams Street, 36th Floor
Chicago, Illinois 60603
(312) 704-1890

891307

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